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5 PAUL M. STELMACHERS, individually
and on behalf of a class of similarly-situated
persons,

6 Plaintiff,

7 v.

8 VERIFONE SYSTEMS, INC.,

9 Defendant.

10 Case No. [5:14-cv-04912-EJD](#)

11 **ORDER RE: MOTION TO DISMISS**

12 Re: Dkt. No. 36

13 In Spokeo, Inc. v. Robins, 136 S. Ct. 1540 (2016), the United States Supreme Court
recently clarified that a plaintiff must clearly allege facts in the complaint that satisfy each element
of Article III standing, including facts establishing that the plaintiff suffered a “concrete” injury.

14 Because the court believes that Spokeo may have some application to Plaintiff Paul M.
Stelmachers’ (“Plaintiff”) amended complaint, the court orders as follows:

15 1. On or before **4:00 p.m. on June 17, 2016**, the parties shall each file a supplemental
16 brief addressing whether and, if so, how the Court’s opinion in Spokeo applies to the factual
17 allegations contained in Plaintiff’s amended complaint. Each supplemental brief shall not exceed
18 five pages in length. No responsive briefs will be permitted, and none should be filed.

19 2. The hearing on the motion to dismiss scheduled June 9, 2016, is VACATED and
20 will be reset, if necessary, upon receipt of the supplemental briefs ordered herein.

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22 **IT IS SO ORDERED.**

23 Dated: June 3, 2016

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25 EDWARD J. DAVILA
26 United States District Judge